

Consultation on the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill

Tystiolaeth i'r Pwyllgor Plant, Pobl Ifanc ac Addysg ar gyfer craffu Cyfnod 1 (Saesneg yn unig)	Evidence submitted to the Children, Young People and Education Committee for Stage 1 scrutiny
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Organisation: Hywel Dda University Health Board

1 The Bill's general principles

1.1 Do you support the principles of the Children (Abolition of Defence of Reasonable Punishment) (Wales) Bill?

Yes

1.2 Please outline your reasons for your answer to question 1.1

(we would be grateful if you could keep your answer to around 1000 words)

The Bill supports the UNCRC. The risk if we condone physical punishment and parents feel it is acceptable practice then there is a risk that a smack can escalate to a serious injury for a child.

As stated in the explanatory memorandum, research suggests physical punishment is no more effective than non-physical approaches to discipline; therefore, parents need to learn other strategies when parenting children. The Bill should support a positive parenting approach.

1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?

(we would be grateful if you could keep your answer to around 500 words)

Yes. Having legislation makes a clear statement to members of the public and professionals.

2 The Bill's implementation

2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1

(we would be grateful if you could keep your answer to around 500 words)

Removing the defence must not interfere with the principles of the common law, which acknowledge that a parent can intervene physically. An example might be the physical intervention necessary to keep a child safe from harm, such as physically stopping a child from running into a road (as opposed to any physical intervention intended to punish a child for running into a road) or physically restraining a child to keep them from injuring themselves or others.

The Bill is unlikely to achieve the intended outcome in isolation. A significant awareness campaign will be required to achieve its aim.

2.2 Do you think the Bill takes account of these potential barriers?

(we would be grateful if you could keep your answer to around 500 words)

The Bill does not address the resource implications to achieve full implementation and public awareness.

3 Unintended consequences

3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1

(we would be grateful if you could keep your answer to around 500 words)

No

4 Financial implications

4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum)? If no, go to question 5.1

(we would be grateful if you could keep your answer to around 500 words)

No

5 Other considerations

5.1 Do you have any other points you wish to raise about this Bill?

(we would be grateful if you could keep your answer to around 1000 words)

It is our view that we should be following other countries who have already implemented the change.

The Welsh Government may want to consider following the Scottish model which places a duty on Scottish Ministers to promote public awareness and understanding about the effect of the Bill. Certain groups and individuals may oppose the change and they need information and to be educated that it is not appropriate to physically punish a child